GOVERNMENT OF INDIA
COAL
LOK SABHA

UNSTARRED QUESTION NO:2551
ANSWERED ON:05.12.2000
TRIBUNAL AWARDS UNDER BCCL
BASUDEB ACHARIA

Will the Minister of COAL be pleased to state:

(a) the names of the Tribunal Awards not implemented by BCCL, as on April 1, 2000;

(b) the reasons for their non-implementation;

(c) the names of awards where BCCL lost in the High Court and the Supreme Court;

(d) the steps taken by BCCL in this regard;

(e) whether BCCL is facing prosecution cases for the cost; and

(f) if so, the details thereof, as on April 1, 2000 ?

Answer

THE MINISTER OF STATE FOR COAL (SHRI N.T. SHANMUGUM)

(a) & (b) Up-to 1.4.2000 ,88 awards have not been implemented for they have been challenged by filing Writ Petition before the hon'ble High Court , Ranchi and hon'ble Supreme Court. Out of these cases 79 are pending before the High Court and 9 are pending before the Supreme Court.

(c)Up-to April,2000 BCCL has lost 5 cases in the High Court.

(d) The details of such cases and the steps taken by BCCL are given below:

1.Review Petition No.2382/88- BCCL Vs. Mangal Harijan:
This case was disposed of in December,1998 and it has been implemented,

2. Civil Appear No.1637/2000 (D&F Ropeways)
The case was disposed of in March,1999 and it has been implemented in pursuance of the Supreme Court's order,

3. Civil Appeal No.1380/98(R)
This case was disposed of in September ,1999 and it has been implemented.

4. D.P.A. MO.308/97 (R) 21 Workmen of Bhuli town Administration.
This case is pending in D.P.A before the High Court.

5.S.L.P. (C) NO.23654/96 Nitish Kumar and 110 others of Jealgora Colliery
Consequent upon failure on the part of the union to furnish detailed documents in support of identification of the concerned workmen, the award which was passed by the Tribunal No.1, Dhanbad in

Reference No.51/90 was terminated vide BCCL's Office letter dated 8/12 .3.1998 . The union has again filed a Writ Petition before the Hon'ble being CWJC No.47/2000 (R) which is pending before the hon'ble High Court; counter affidavit has been filed by the management of BCCL.

(e) & (f):44 prosecutions under Industrial Disputes Act are pending against the different officials of the management of BCCL.